APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: VLand PROJECT LOCATION/WATERWAY: Intersectionn of Routes 19 and 59, Streamwood, Cook County, Illinois
FILE NUMBER: 200400796 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: STREAMWOOD. U. S. Geological Survey Hydrologic Atlas: STREAMWOOD, HA 203. USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: STREAMWOOD, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: Other information:
Rationale for Basis (applies to any boxes checked above):
Wetland 3 flows into Poplar Creek and is under the jurisdiction of this office. Wetlands 1, 2, 4, and 5 are isolated depressions and not under the jurisdiction of this office.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary.
Recommended by: ORIGINAL SIGNED Date: 428/05
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Magnal (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400796									
REGULATORY PROJECT M	1ANAGE	R: Ka	athy Che	rnich	Da	te: 28, April	2005		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		n the office project sit	` '			
PROJECT LOCATION INFO	RMATIC	ON:				•			
State:						Illinoi	s		
County: Center coordinates o	faita bu l	stituda 8.	langitu	dinal acom	dinatası	Cook			
Approximate size of									
Name of waterway or		• '	oing up	nanos ex n	i acies,.				
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ic 25-50 ac	1 1	Linear Unknown	
Lake	<u> </u>	 	 	- 	-	-	+ $$	feet	
River	 	 	 	十一			 		
Stream	一一	一一	十一	十一	┪		 		_
Dry Wash	Ħ	H	 		 		 		
Mudflat	1 🗂			H	TH	一一			_
Sandflat	1 🗖	Ħ	一一				15 1	<u> </u>	_
Wetlands	† =		16	16		TH			
Slough	Ħ		Ħ		一		- 	li i	_
Prairie pothole			1 m –						
Wet meadow									_
Playa lake									_
Vernal pool									_
Natural pond									_
Other water (identify type)									
						İ			
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-state	water present	and best estimate	for size of non-	
Migratory Bird Rule Factors ¹ :				If Known		If Unknown Use Best Pro	fessional Judgmer	nt	
				Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for	birds prote	ected by		Ø					
Migratory Bird Treaties?	41 1			N					
Is or would be used as habitat by cross state lines?	other migra	atory birds	s that	\boxtimes					
Is or would be used as habitat for	endangere	d species?		T1			\boxtimes	 	
Is used to irrigate crops sold in in				<u> </u>	t 🛱		X		_
Check appropriate boxes that bes non-navigable, intra-state aquatic	st describe	potential f	or applic	ability of th	ne Migratory	Bird Rule to a		on-jurisdictional, isolated,	,

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District **APPLICANT:** Aspen Partners, LLC PROJECT LOCATION/WATERWAY: Vernon Hills PROJECT REVIEW COMPLETED: ☑ Office ☑Field **FILE NUMBER: 200500033** Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: WHEELING, HA 71. ☐ USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: WHEELING, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: WHEELING, 1928. U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Lake County 1939, 2000, & 2004; PhotoMapper 2001, 2002, & 2004 Advanced Identification Wetland Maps: LAKE COUNTY. Site Visit Conducted on: November 2, 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands D & F (as labeled in supplied delineation report) have a hydrologic connection to Seavey Ditch through the piped unamed tributary running to the south of the property. Seavey Ditch flows via Indian Creek to the Des Plaines River, a navigable water of the United States below Hoffman Dam. Therefore wetlands D & F are also waters of the United States under the jursidiction of the Department of the Army. Wetlands A, B, C, & E are not hydrologicly connected to the piped tributary of Seavey ditch and have no known connection to another navigable water of teh United States and are therefore not under the jurisdiction of the Department of the Army. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation ☐ the presence of litter and debris shelving changes in the character of soil other wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated July 8, 2004, prepared by Tierra Ecological Consultants. This office does not confirm your wetland boundary Recommended by: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500033				
REGULATORY PROJECT MANAGER:	Michael Murphy	Date: (04/28/2005	
PROJECT REVIEW/DETERMINATION C		In the office the project site	(Q/N) (M/N)	Date: 04282005 Date: 11022004
PROJECT LOCATION INFORMATION:			0	
State:			Illinois	
County:			Lake	
Center coordinates of site by latitud	le & longitudinal c	oordinates:	42 14 29	.7789, 87 58 24.9984
Approximate size of site/property (i	including uplands &	& in acres):	26 acres	
Name of waterway or watershed:			Seavey E	Ditch/Indian Creek/Des Plaines
SITE CONDITIONS:				

Lake River Stream Dry Wash Mudflat Sandflat						
Stream Dry Wash Sandflat Sandflat						
Dry Wash Mudflat Sandflat				7.7		
Mudflat Sandflat			! ⊔	↓ □		
Sandflat		\sqcup				
Wetlands						
Slough						
Prairie pothole						
Wet meadow						
Playa lake						
Vernal pool						
Natural pond						
Other water (identify type)						
					<u> </u>	

Migratory Bird Rule Factors':	If Known	l	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?			Ø			
Is or would be used as habitat for endangered species?				\boxtimes		
Is used to irrigate crops sold in interstate commerce?						
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

TYPE OF DETERMINATION: Preliminary ☐ Or Approved ☒

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ryland Homes PROJE	CT LOCATION/WATERWAY:	Liberty Street, Villag	ge of Aurora,	DuPage Coun	ty, I
FILE NUMBER: 200500443 PR	OJECT REVIEW COMPLETE	D: 🛛 Office 🗌 Field	i		
	on: e project site.			D is an appeala	ible
Basis of Jurisdictional Determination	:				
☐ The presence of waters which interstate or foreign commerce, inc of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate wat ☐ The presence of a tributary to ☐ The presence of wetlands adjatexcept for those wetlands adjatexcept for those wetlands adjated with the presence of an isolated with the presence of an isolated with the presence of an isolated with the presence of the presence	ters (including interstate wetlands) an interstate water or other water of acent ² (bordering, contiguous, or racent to other wetlands. (33 CFR 3	to the past, or may be set to the ebb and flow of the US. (33 CFR 328.3 (a)(of the US. (33 CFR 32 neighboring) to interstance (a)(7)) treams (including interstance)	of the tide (i.e. 2)) 28.3 (a)(5)) tate or other vermittent strea	e., navigable w	aters
Information Reviewed					
U. S. Geological Survey USDA Natural Resource U. S. Geological Survey U. S. Geological Survey U. S. Geological Survey U. S. Geological Survey Aerial Photographs (Nan	Service National Wetland Inventory Hydrologic Atlas: NAPERVILLE s Conservation Service Soil Survey 7.5 Minute Topographic Maps: N. 7.5 Minute Historic Quadrangles: 15 Minute Historic Quadrangles: ne & Date):April 2002 Wetland Maps: DUPAGE COUN	, HA 154. y for DuPage County. APERVILLE, 1993. —————			
Rationale for Basis (applies to any bowetlands that are within the project site				however the	
Lateral Extent of Jurisdiction (33 CF Ordinary High Water Mark in clear, natural line imp the presence of litter a changes in the charact wetland boundary	ndicated by: pressed on the bank	estruction of terrestria elving ther	l vegetation		
Basis for Declining Jurisdiction:					
	e of waters listed in 33 CFR 328.3(is likely to have been jurisdictiona is <u>not</u> likely have been jurisdiction	l under pre-SWANCO	Migratory I	Bird Rule criter	ria
☐ Headquarters declined to appro	ove jurisdiction on the basis of 328	.3(a)(3) [attach copy of	of HQ rations	ale]	
This office does not confirm:	wetland delineation report dated your wetland boundary.				
Recommended by:	S	Date:	4-2	8-05	
Approved by:		Dotos			_
¹ Wetlands are identified and delineated using occurrence of hydrophytic vegetation, hydric from methods described in the Corps Wetland	g the methods and criteria established in c soils and wetland hydrology). Process d Delineation Manual (1987).	n the Corps Wetland Del ses for determining wetl	lineation Manu ands on agricul	al (87 Manual) (i Itural lands may	i.e., vary
² Wetlands separated from other waters of th	e U.S. by man-made dikes or barriers.	natural river berms, beac	n dunes, and the	ne like are also	

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500443										
REGULATORY PROJECT M	1ANAGE	R: Di	edra W	illis	Ľ	ate: Ap	oril 26, 20	005		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		n the offic project si	-	(Y/N) (Y/N)	Date: April Date:	25, 2005	
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: Fox River Watershed										
SITE CONDITIONS: Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 2	25-50 ac	> 50 ac	Linear	Unknown
Lake	 		<u></u>	 	- -	 			feet	
River	- 남	 	<u> </u>		- - -		┽	 		
Stream		H	<u> </u>		-	—·-· -		 		 -
Dry Wash	 	├ ├		ᆛ岩				┼┼		
Mudflat	 	 		+H			┥	 		+=
Sandflat	┼∺	 	 	┤ ∺		- -	┪──	 		
Wetlands	<u> </u>	H	 		ᅡ片		╡	 		┼┼
Slough		 	 			-	=	┼┼		
Prairie pothole	+ 🛏	├ 	-#-					 		
Wet meadow	├ 	<u> </u>								
		片片	H	→ 	<u> </u>	<u> </u>		 		
Playa lake	│ 	 	 	- - -	╼╌┼╞┽╌	1 -	┽	 		
Vernal pool	 	 		- - -	- - -		 	 		
Natural pond Other water (identify type)	 	 		- - -	<u> </u>		┽	│ 		
Other water (identity type)						'	_			
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of isol	ated, no	n-navigable	e, intra-stat	e water j	present an	d best estimat	te for size of	non-
Tarristicular adjunctic resource are										
Migratory Bird Rule Factors':				If Known			known Best Profes	ssional Judgm	ent	
				Yes	No	Predi	icted	Not Expected	to Not A	Able To Make
		. 1.				to Oc		Occur		termination
Is or would be used as habitat for Migratory Bird Treaties?	•	•								
Is or would be used as habitat by cross state lines?			that							
Is or would be used as habitat for		_			<u> </u>				N N	
Is used to irrigate crops sold in int Check appropriate boxes that be			or appli	cability of the	o Migrata	ny Ried I	Pula to an	nly to ensite	on-inriedic	tional isolated
non-navigable, intra-state aquatic			ог арри	cabinty of th	ie wiigrato	y Biru r	хите со ар	pry to onsite, i	ion-jurisaic	iionai, isolateu,
TYPE OF DETERMINATION	N:				P	relimin	ary 🗌	Or Approv	ved 🛚	
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce										

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mr. Jan Senko PROJECT LOCATION/WATERWAY: 14389 Andover Road In Wadsworth, Lake County, Illinois (Section 26, T46N, R11E) PROJECT REVIEW COMPLETED: ☐ Office ☐ Field FILE NUMBER: 200500593 Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: ☐ Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ☐ U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: March 31, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The one wetland identified on the subject property extends offsite to the east and receives hydrology from the southwest. A hydrologic connection to a navigable water could not be identified. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris Shelving changes in the character of soil Other wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary MITCHELL A. ISOE Recommended by: Date: Chief, Regulatory Branch Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500593				
REGULATORY PROJECT MANAGER:	Paul Leffler	Date:	April 27, 20	05
PROJECT REVIEW/DETERMINATION (In the office At the project site	(Y/N) (Y/N)	Date: April 27, 2005 Date: March 31, 2005
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			Lake	
Center coordinates of site by latitu	de & longitudina	ıl coordinates:	42 -25-5	7.7061 87 -54-36.6698
Approximate size of site/property ((including uplane	ds & in acres):	1	
Name of waterway or watershed:			Des Plai	nes
SITE CONDITIONS:				

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake								1	
Vernal pool	一直								
Natural pond		一		15					18
Other water (identify type)				10					
	_								
Check appropriate boxes that	hest describe	type of isc	lated non	-navigable i	ntra_state wa	ter present si	ad hest estim	ate for size o	f non-

Migratory Bird Rule Factors':	If Known		If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

TYPE OF DETERMINATION:

Preliminary Or Approved

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

APPROVEI	U.S. Army Corps of Engineer		CUMENT
APPLICANT: John Stangret	PROJECT LOCATION/WAT	ERWAY: Long Grove/Indi	an Creek
FILE NUMBER: 200500486	PROJECT REVIEW COMPL	-	
action. (33 CFR 331.2) Based on available informulation. There are no waters of the transfer	ination (JD) (For sites regulated ur nation:	nder 33 CFR 320-330). An a	
Basis of Jurisdictional Determin	-	sictional waters on the proje	et site.
☐ The presence of waters we interstate or foreign commerce of the U.S.) (33 CFR 328.3(a) ☐ The presence of a tributa ☐ The presence of wetland except for those wetland ☐ The presence of an isolate	al waters of the United States preservhich are currently used, or were use, including all waters which are su (1)) e waters (including interstate wetlarry to an interstate water or other was adjacent ² (bordering, contiguous, as adjacent to other wetlands. (33 CF ed water (e.g., intrastate lakes, river ghs, prairie potholes, wet meadows,	ed in the past, or may be subject to the ebb and flow of ands ¹). (33 CFR 328.3 (a)(2) atter of the US. (33 CFR 328.4, or neighboring) to interstate FR 328.3 (a)(7)) rs, streams (including internal	the tide (i.e., navigable waters) 3 (a)(5)) te or other waters of the US, nittent streams), mudflats,
Information Reviewed			
 ✓ U. S. Geological Su ✓ USDA Natural Reso ✓ U. S. Geological Su 	life Service National Wetland Invertivey Hydrologic Atlas: LAKE ZUI ources Conservation Service Soil Survey 7.5 Minute Topographic Maps rvey 7.5 Minute Historic Quadrangle rvey 15 Minute Historic Quadrangle ate): tion Wetland Maps: LAKE COUN don: March 31, 2005	RICH, HA 208. British Take County.	
	y boxes checked above): The wetlerefore not under the jurisdiction of		
	Water Mark indicated by: e impressed on the bank tter and debris aracter of soil	☐destruction of terrestrial v☐shelving ☐ other	/egetation
Basis for Declining Jurisdiction:			
Area under consider:	sence of waters listed in 33 CFR 32 ation is likely to have been jurisdict ation is not likely have been jurisdict.	ional under pre-SWANCC I	Migratory Bird Rule criteria
☐ Headquarters declined to	approve jurisdiction on the basis of	328.3(a)(3) [attach copy of	HQ rationale]
Confirmation of Wetland Bound This office concurs with This office does not con	aries your wetland delineation report date firm your wetland boundary		
Recommended by ORIGI	VAL SIGNED	Date:	Depros
Approved by:		Date:	.
¹ Wetlands are identified and delineated occurrence of hydrophytic vegetation, I from methods described in the Corps W	using the methods and criteria establish nydric soils and wetland hydrology). Pro etland Delineation Manual (1987).	ed in the Corps Wetland Delin- ocesses for determining wetlan	eation Manual (87 Manual) (i.e., ds on agricultural lands may vary
² Wetlands separated from other waters adjacent.	of the U.S. by man-made dikes or barri	ers, natural river berms, beach	dunes, and the like are also

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500486								
REGULATORY PROJECT M	IANAGE	R: M	ichael N	Murphy	D	ate: 04/26/200)4	
PROJECT REVIEW/DETER			PLETE		n the office project sit		•	
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS: Illinois Lake 42 12 51.4236, 88 0 12.3473 3/4 acre Des Plaines River/Indian Creek								
Type of aquatic resource1	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear Unknown feet
Lake	П		П	- 	10-	\neg		П
River	- 		Ħ	╅		 	 	T T
Stream	Ħ	Ħ	H		┪	16	THE THE	
Dry Wash	Ħ	H	H	┪	一声	T T		i ii
Mudflat	Ħ		H	一百				
Sandflat	IП	Ħ	Ħ	٦	一一一		市	
Wetlands	X	П	Ħ			一一	TH I	
Slough	Ħ	i iii —	Ħ				i i i	
Prairie pothole	T T		Ħ	┪				
Wet meadow	<u> </u>	i iii —	Ħ	┪				
Playa lake	Ħ		Ħ	──────	一百			
Vernal pool	Ħ	iii	H	- 			iñ	
Natural pond	F	 	Ħ	⊣Ħ			in i	
Other water (identify type)								
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-state	water present	and best estimate	e for size of non-
Migratory Bird Rule Factors1:				If Known		If Unknown		
							fessional Judgme	
				Yes	No	Predicted to Occur	Not Expected t Occur	o Not Able To Make Determination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by				×		
Is or would be used as habitat by o	ther migr	atory birds	that			⊠		
Is or would be used as habitat for	endangere	d species?				10	⊠	
Is used to irrigate crops sold in int				H		 	Ħ	⊣
Check appropriate boxes that bes	t describe	potential f	or appli	cability of th	e Migrator	y Bird Rule to		on-jurisdictional, isolated,
TYPE OF DETERMINATION		ii ta.			P	reliminary [Or Approv	ed 🛛
OPITIONAL ADDITIONAL Strationale used to determine NJ	ID, includ	ling infor	mation	reviewed to	o assess po	tential navig		
connections; and paragraph 4	– site inf	ormation	on wate	ers of the U	.S. occurr	ing onsite):		

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Forever Construction PROJECT LOCATION/WATERWAY: Waukegan River/Lake Michigan FILE NUMBER: 200500457 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: WAUKEGAN, HA 234. □ USDA Natural Resources Conservation Service Soil Survey for Lake County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: WAUKEGAN, 1993. ☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles: WAUKEGAN, 1960. U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date):Lake County 1939, 2000, & 2004; PhotoMapper 2001, 2002, & 2004 Advanced Identification Wetland Maps: LAKE COUNTY. Site Visit Conducted on: February 3, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The wetland on site has no hydrologic connection to a navigable water of the United States and is therefore not under the jurisdiction of the Department of the Army. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Date: Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987). ² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER:	•										
REGULATORY PROJECT M	MANAGE	R: M	lichael N	Aurphy	Da	ite: 4/25/2005					
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE	-	n the office	(')					
PROJECT LOCATION INFO	RMATI	ON:			, b. olect pre	(2/1/)	, 2000 2/3/				
State:						Illinoi	s				
County:						Lake					
Center coordinates o							24.7960, 87 5	1 26.0763			
Approximate size of	site/propo	erty (inch	iding uj	olands & 11	n acres):	1/2 acı	-	lea Miahiaan			
Name of waterway o SITE CONDITIONS:	r watersn	ea:				wauke	egan River/La	ke Michigan			
SHE CONDITIONS:											
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 a	25-50 ac	> 50 ac	Linear	Unknown		
Lake											
River											
Stream											
Dry Wash											
Mudflat											
Sandflat											
Wetlands			$\perp \square$				<u> </u>				
Slough	↓ □	<u> </u>							<u> </u>		
Prairie pothole	 	↓ <u>└</u>	↓ 🖳						<u> </u>		
Wet meadow	1			14	-		<u> </u>		│		
Playa lake	14—	 	┼ Ⴞ					<u> </u>	↓닖		
Vernal pool	14-	<u> </u>	 -	- -	<u> </u>				님		
Natural pond		 	╁╫┈		─├		 - - - - - - - - -				
Other water (identify type)		[]	-	🗀	🗀						
			<u> </u>								
¹ Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, no	n-navigable	e, intra-state	water present	and best estima	ate for size of	non-		
Migratory Bird Rule Factors1:				If Known		If Unknown					
					T		fessional Judgi				
				Yes	No	Predicted to Occur	Not Expected Occur		Able To Make termination		
Is or would be used as habitat for Migratory Bird Treaties?			⊠			er minacion					
ls or would be used as habitat by	other migr	atory bird	s that			\boxtimes					
cross state lines? Is or would be used as habitat for	endenger	d enocioe?									
Is used to irrigate crops sold in in				┟∺	│		×				
¹ Check appropriate boxes that be			for appli	cability of th	he Migratory	Bird Rule to a		non-jurisdic	tional, isolated,		
non-navigable, intra-state aquatic	resource	area.									
TYPE OF DETERMINATIO	N:				Pr	eliminary [Or Appro	oved 🛚			
OPITIONAL ADDITIONAL	INFORM	IATION S	SUPPO	RTING NJ	ID (e.g., na	ragraph 1 – si	ite conditions	: paragranh	ıs 2-3 –		
rationale used to determine N											
connections, and paragraph 4								Jonian	J -		

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Tom Schreiner PROJECT LOCATION/WATERWAY: Parcel located east of Galligan Road and south of Binnie Road in Rutland Township, Kane County, Illinois (S 1/2 of Section 13, T42N R7E) FILE NUMBER: 200500237 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELGIN. \boxtimes U. S. Geological Survey Hydrologic Atlas: ELGIN, HA 147. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELGIN, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): USGS, April 10, 2002 Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: a site visit was conducted for a portion of this property by Jaimee Hammit on 2 occasions, so there was no need for a 3rd site visit Other information: FEMA FIRM Map, Routine Wetland Delineation Report, dated December 13, 2004, prepared by ENCAP, Inc. Rationale for Basis (applies to any boxes checked above): Wetland 1 and Farmed Wetland 1 have a surface water tributary system connection to an unnamed tributary of the Kishwaukee River and are therefore under the jurisdiction of the U.S. Army Corps of Engineers. Farmed Wetland 2 is isolated and not under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: Date:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500237									
REGULATORY PROJECT M	ANAGE	R: Ja	imee Ha	ımmit	Da	ite: 04/25/05			
PROJECT REVIEW/DETERM	MINATIO	ON COM	PLETE		n the office project sit	(•)5	
PROJECT LOCATION INFO. State: County: Center coordinates of Approximate size of s Name of waterway or SITE CONDITIONS:	site by la	atitude & erty (inclu				150	s 2-7-1, Lon: 88-2 ned tributary/Kish		tiver
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 a	25-50 ac	1	Linear feet	Unknown
Lake									
River									
Stream	$\overline{\Box}$	1市 一	一	16					ĪĒ
Dry Wash		i 🗖		╅					i Fi
Mudflat	<u> </u>	一							
Sandflat	$\overline{\Box}$	<u> </u>			一一一	一十一			t 🗖
Wetlands	X			TH	一百				TF
Slough	Ī	Ī		一百					
Prairie pothole	Ħ	Ħ	一一	一					i iii
Wet meadow	Ī	Ī	$\overline{\Box}$	16	TH			· · · · · · · · · · · · · · · · · · ·	
Playa lake		in		╅					
Vernal pool	П	ħ	Ħ	一一					i ii
Natural pond			Ħ	T					
Other water (identify type)									
Check appropriate boxes that best jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-state	water present	and best estimate	for size of	non-
Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Pro	fessional Judgmen	t				
				Yes	No	Predicted to Occur	Not Expected to Occur	Not A	ble To Make
Is or would be used as habitat for be Migratory Bird Treaties?									
Is or would be used as habitat by o cross state lines?	that								
Is or would be used as habitat for e				☒					
Is used to irrigate crops sold in inte			_				×		
¹ Check appropriate boxes that best non-navigable, intra-state aquatic			or applic	eability of th	e Migratory	Bird Rule to a	apply to onsite, no	n-jurisdict	ional, isolated,

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ⊠

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Patricia Brummel/Schwickert Family Partnership PROJECT LOCATION/WATERWAY: 120-acre parcel located north of Hankes Road and west of Deerpath Road in unincorporated Aurora, Kane County, Illinois (SW 1/4 of Section 12 and NW 1/4 of Section 13, T38N R7E)

and NW 1/4 of Section 13, T381	N R7E)		,	(
FILE NUMBER: 200500124	PROJECT REVIEW COM	PLETED: 🛛	Office 🛮 Field	
	formation: s on the project site. sdictional waters on the project f the United States on the project ers of the United States and nor	site. ct site.	,	
Basis of Jurisdictional Determ				
☐ The presence of water interstate or foreign common of the U.S.) (33 CFR 328.3 ☐ The presence of inters	(a)(1)) tate waters (including interstate	vere used in the are subject to the wetlands ¹). (3	e past, or may be sthe ebb and flow of 3 CFR 328.3 (a)(2)	of the tide (i.e., navigable waters 2))
☐ The presence of wetla except for those wetla ☐ The presence of an iso sandflats, wetlands, slough	utary to an interstate water or of inds adjacent ² (bordering, conti- inds adjacent to other wetlands. (lated water (e.g., intrastate lake, s, prairie potholes, wet meadow	guous, or neigh (33 CFR 328.3 s, rivers, stream	hboring) to interst (a)(7)) ns (including inte	rmittent streams), mudflats,
Other: Section 10 waterway.				
 □ U. S. Geological □ USDA Natural R □ U. S. Geological □ U. S. Geological □ U. S. Geological □ Aerial Photograp □ Advanced Identif 	ildlife Service National Wetland Survey Hydrologic Atlas: SUG esources Conservation Service Survey 7.5 Minute Topographic Survey 7.5 Minute Historic Quastic (Name & Date): USGS, Aprilication Wetland Maps: Cario (del on: February 17, 2005 by Jane):	AR GROVE, I Soil Survey for Maps: SUGA adrangles: drangles: il 10, 2002	HA 227. Kane County. AR GROVE, 1993	
Rationale for Basis (applies to (identified in the RAI report as I Engineers.				the subject property by the NRCS he U.S. Army Corps of
Lateral Extent of Jurisdiction Ordinary High Water clear, natural lin the presence of li changes in the ch wetland boundar	Mark indicated by: e impressed on the bank tter and debris aracter of soils	☐ she	struction of terres elving her:	trial vegetation
Basis for Declining Jurisdictio	a:			
Area under consid	oresence of waters listed in 33 C eration is likely to have been ju eration is <u>not</u> likely have been ju	risdictional und	der pre-SWANCO	328.3(a)(4) through 328.3(a)(7) C Migratory Bird Rule criteria C Migratory Bird Rule criteria
☐ Headquarters declined	to approve jurisdiction on the ba	asis of 328.3(a)	(3) [attach copy of	of HQ rationale]
This office does not a	th your wetland delineation repo		, prepared by	
Recommended by:			Date:	4/21/05
Recommended by:			Date:	4/25/05
Wetlands are identified and delinea				

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500124	1									
REGULATORY PROJECT M	1ANAGE	R: Ja	imee Ha	mmit	Da	ate: 4/21/05				
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		In the office e project sit	()				
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of: Name of waterway of SITE CONDITIONS:	f site by la site/prope	atitude & erty (inclu		dinal coo	rdinates:	Illinoi: Kane Lat: 4 120				
Type of aquatic resource ^t	0-1 ac	1-3 ac	3-5 ac	5-10 ac	c 10-25 a	ac 25-50 ac	> 50 ac	Linear	Unknown	
Lake		 	\vdash	+		$\neg \vdash \sqcap$		feet	П	
River	 	╁╫	╁┼	+	- - - - - - - - - 				H	
Stream	 	┼∺	├ ├─	ᆍ	 	- 	 		H	
Dry Wash	ᅡ片	╁╫╌	┼∺	┤╁╌	- - - - 	ᅥ片	 		HH	
Mudflat	╁╫┈┈	┼∺─	 	ᆂ		- - 				
Sandflat	╁╬┈	 		╅	- - - - - - - - - 	- 			 	
Wetlands		+	 	┤∺┈			 H		 	
Slough	 	╫	 	┤┼			$\dashv \vdash \vdash$		 	
Prairie pothole	╁╬──	 	 	╅	- - -				H	
Wet meadow	╁┼	 	┼∺┈		- - 	- - 	 			
Playa lake	┼∺	┼∺	╁┼	┤┼	- - - - - - - - - - 	- 	│		H	
Vernal pool	╁┼	┼∺	╁┼┼		- - -		 		 	
Natural pend	╁╬┼	 	┼∺	+	- - 	- 片	$\dashv \vdash \vdash$		 	
Other water (identify type)	╁┼	H	 - -	-├- -			-		H	
- (dealing type)										
¹ Check appropriate boxes that be jurisdictional aquatic resource are		type of iso	lated, no	n-navigabl	le, intra-state	water present	and best estimat	te for size of	non-	
Migratory Bird Rule Factors ¹ :				If Known	n	If Unknown Use Best Prof	fessional Judgm	ent		
					No	Predicted to Occur	Not Expected Occur	to Not A	ble To Make ermination	
Is or wor'd be used as habitat for Migratory Bird Treaties?	wor'd be used as habitat for birds protected by							Ø		
Is or would be used as habitat by other migratory birds that cross state lines?								×		
Is or would be used as habitat for	endangere	d species?								
Is used to irrigate crops sold in int										
¹ Check a; propriate boxes that be non-navigable, intra-state aquatic			or applic	ability of t	the Migratory	y Bird Rule to a	pply to onsite, r	on-jurisdict	ional, isolated,	
TYPE OF DETERMINATION	N:				Pı	reliminary [Or Approv	ved 🛚		
OPITIONAL ADDITIONAL	INFORM	ATION S	SUPPOR	TING N	ID (e.g., na	ragranh 1 – si	te conditions:	naragranh	s 2-3 –	

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Immanuel Lutheran Church PROJECT LOCATION/WATERWAY: Crystal Lake, McHenry, Co. PROJECT REVIEW COMPLETED: ☐ Office ☐ Field **FILE NUMBER: 200500441** Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: CRYSTAL LAKE. ☐ U. S. Geological Survey Hydrologic Atlas: ☑ USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 7.5 Minute Topographic Maps: CRYSTAL LAKE, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): 2002 Advanced Identification Wetland Maps: MCHENRY COUNTY... Site Visit Conducted on: March 17, 2005 Other information: Rationale for Basis (applies to any boxes checked above): One isolated wetland is located in the southwest portion of the property. Wetlands with no traceable hydrologic connection to a navigable waterway are not regulated by the Department of the Army. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Date:

Approved by:

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500441)								
REGULATORY PROJECT N	MANAGE	R: K	ate Bliss	i .	Da	ate: 4/21/05			
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		n the office project sit	() Date: Date: 3/17/05		
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway o	of site by I site/prope	atitude & erty (inclu		dinal coor	dinates:	Illinoi McHe	s nry -50.9233, 88-19	9-5.8362	
SITE CONDITIONS:			1	1 -2 - 2			-		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear Unknown feet	
Lake	 	l m	┼┌┐	+	$\dashv \neg$	\neg			
River	+	 	╁┾┼	 	- - - - - - - - - - - - - 	- - 	H	 	
Stream		┼∺	╁┼	\dashv 岩 $-$	- - - - - - - 	-+#	+ H	 	
Dry Wash	│ 	 	╁┼	ᆛ岩	- - -		ᆛH		
Mudflat	 - -		 		┉┼╬┈				
	 - - - - - - - - -	 	 -	 -	<u> </u>	$\dashv \dashv =$	ᆜᆜ	<u> </u>	
Sandflat	1 📙 —	1 🖳 —	 	<u> </u>			_ -	<u> </u>	
Wetlands	×	 - - 	 	<u> </u>	<u> </u>				
Slough	<u> </u>	<u> </u>	<u> </u>					<u> </u>	
Prairie pothole									
Wet meadow									
Playa lake	$\top\Box$								
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, no	on-navigable	, intra-state	water present	and best estimat	te for size of non-	
-									
Migratory Bird Rule Factors ¹ :		If Known		If Unknown					
				Yes	No	Predicted	fessional Judgm Not Expected		
						to Occur	Occur	Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?									
Is or would be used as habitat by cross state lines?									
Is or would be used as habitat for	endangere	d species?							
Is used to irrigate crops sold in in	terstate co	mmerce?							
¹ Check appropriate boxes that be non-navigable, intra-state aquation	st describe	potential :	for appli	cability of th	ie Migrator	y Bird Rule to	apply to onsite, r	non-jurisdictional, isolated,	
TYPE OF DETERMINATIO	N:				P	reliminary [Or Approv	ved 🛚	

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Archdiocese of Joliet PROJECT LOCATION/WATERWAY: Northeast of the Intersection of U.S. Route 6 Tyron Street in Channahon, Will County, Illinois PROJECT REVIEW COMPLETED: ☑ Office ☐Field **FILE NUMBER: 200500270** Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: CHANNAHON. U. S. Geological Survey Hydrologic Atlas: CHANNAHON, 362. ☑ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: CHANNAHON, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: ____ Aerials (Name & Date): Channahon, 2002 Advanced Identification Wetland Maps: ☐ Site Visit Conducted on: Other information: NRCS Certified Wetland Determination Rationale for Basis (applies to any boxes checked above): There are no wetlands located on the subject property. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Date: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Jacobs Homes PROJECT LOCATION/WATERWAY: West Of Weiland Road And South Of Aptakisic Road In Buffalo Grove, Lake County, Illinois (Section 28, T43N, R11E) FILE NUMBER: 200500461 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))

The presence of a tributary to an interstate water are the The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: ☑ USDA Natural Resources Conservation Service Soil Survey for Lake County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: WHEELING, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): 2000 Advanced Identification Wetland Maps: LAKE COUNTY. ☐ Site Visit Conducted on: Other information: Rationale for Basis (applies to any boxes checked above): Wetland 1, 2, and 3, as referenced in your delineation report, do not exhibit a hydrologic connection to a navigable water and are therefore not under the jurisdiction of this office. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris ☐ shelving changes in the character of soil other wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Date: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500461				
REGULATORY PROJECT MANAGER:	Paul Leffler	Date	: April 14, 20	05
PROJECT REVIEW/DETERMINATION CO)MPLETED:	In the office y At the project site	(Y/N) (Y/N)	Date: April 14, 2005 Date:
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			Lake	
Center coordinates of site by latitude	& longitudin	al coordinates:	42 -10-5	4.8142 87 -57-4.0619
Approximate size of site/property (in	cluding uplar	nds & in acres):	8.4	
Name of waterway or watershed: SITE CONDITIONS:			Des Plai	ines

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands					1 🗇 🗆 🗆				
Slough									
Prairie pothole									
Wet meadow			1 🗀 🗆						
Playa lake									
Vernal pool					1 🗖		10		
Natural pond				1 🗀 🗀					
Other water (identify type)			16-	1 🗖	10				
¹Check appropriate boxes that	_			iachla i	ut-s state wat	100 0000	d boot agtim	nto for size o	F-00

Migratory Bird Rule Factors¹:	If Know	'n	If Unknown Use Best Pro	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ⊠

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mr. Dennis Bucalo PROJECT LOCATION/WATERWAY: North Of Brandt Road, West Of IL Route 59 Near Barrington, Lake County, Illinois (Section 26, T43N, R9E) FILE NUMBER: 200500317 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹), (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: ☑ USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: BARRINGTON, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): 2000 Advanced Identification Wetland Maps: Site Visit Conducted on: March 22, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The one wetland identified in the submitted materials was part of a larger offsite wetland and did not have an identifiable hydrological connection to a navigable water. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is <u>not</u> likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Approved by: Date: Wetlands are identified and defineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500317		
REGULATORY PROJECT MANAGER: Paul Leffler	Date: April 13, 2005	
PROJECT REVIEW/DETERMINATION COMPLETED		April 13, 2005 ch 22, 2005
PROJECT LOCATION INFORMATION:		
State:	Illinois	
County:	Lake	
Center coordinates of site by latitude & longitudi	inal coordinates: 42 -10-14.7985	88 -8-33.8733
Approximate size of site/property (including upla	ands & in acres): 8.5 Acres	
Name of waterway or watershed:	Fox River	
SITE CONDITIONS:		

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake								-	
River			10		1 🗖	18			
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole					To				
Wet meadow									
Playa lake									
Vernal pool		1 🗇 🗆							
Natural pond		10	10						
Other water (identify type)									
¹ Check appropriate boxes that	best describe	type of iso	lated, non-	navigable, i	ntra-state wat	ter present ar	ıd best estim	ate for size of	f non-

Migratory Bird Rule Factors ¹ :	If Known		If Unknown			
			Use Best Pro	fessional Judgment		
	Yes	No	Predicted	Not Expected to	Not Able To Make	
			to Occur	Occur	Determination	
Is or would be used as habitat for birds protected by			\boxtimes			
Migratory Bird Treaties?	1					
Is or would be used as habitat by other migratory birds that			\boxtimes			
cross state lines?	1					
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?			\boxtimes			
1Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, iso						
non-navigable, intra-state aquatic resource area.						

TYPE OF DETERMINATION:

Preliminary Or Approved 🛛

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

APPLICANT: Byp Mawr Corp. PROJECT LOCATION/WATERWAY: Crystal Lake, MeHenry Co., II. FILE NUMBER: 200500345	
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are no waters on the project site. There are waters of the United States on the project site. There are waters of the United States on the project site. There are waters of the United States and non-jurisdictional waters on the project site. There are waters of the United States and non-jurisdictional waters on the project site. There are no jurisdictional waters of the United States and non-jurisdictional waters on the project site. There seened waters of the United States and non-jurisdictional waters on the project site. There seened of the United States and non-jurisdictional waters on the project site. There seened of the United States waters of the United States present on the project site. The presence of a Instantant of the Waters of the United States present on the project site. The presence of a Instantant of the Waters of the United States present on the project site. The presence of interstate waters including all waters which are subject to the cbb and flow of the tide (i.e., navigable waters of the U.S. (33 CFR 328.3 (a)(2)) The presence of interstate waters (including interstate water of the US. (33 CFR 328.3 (a)(3)) The presence of waters of the United States and the Water of the US. (33 CFR 328.3 (a)(5)) The presence of waters of the United States and the Water of the US. (33 CFR 328.3 (a)(5)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, soughs, parier potholes, wet meadows, playa lakes, or natural ponds. Other: Scicion 10 waterway. Information Reviewed U.S. Sciological Survey 13 Minute Topographic Maps: MCHENRY. U.S. Geological Survey 14 Minute Topographic Maps: MCHENRY. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY.	APPLICANT: Bryn Mawr Corp. PROJECT LOCATION/WATERWAY: Crystal Lake, McHenry Co., IL
action. (33 CFR 331.2). An approved ID is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are no waters of the United States on the project site. There are wo there are no the United States and non-jurisdictional waters on the project site. There are whoth waters of the United States and non-jurisdictional waters on the project site. There are no jurisdictional waters of the United States and non-jurisdictional waters on the project site. There are no jurisdictional waters of the United States present on the project site. There seened of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the cbb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 323.4)(21) The presence of interstate waters (including interstate water of the US. (33 CFR 328.3 (a)(21)) The presence of on interstate waters (including interstate water of the US. (33 CFR 328.3 (a)(21)) The presence of wetlands adjacent to other wetlands. (32 CFR 328.3 (a)(27)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including interstate or other waters of the US. (35 CFR 328.3 (a)(27)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other Section 10 waterway. U.S. Geological Survey Hydrologic Atlas: USDA National Resources Conservation Service Soil Survey for McHenry County. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U.S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U.S. Geological Survey	FILE NUMBER: 200500345 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3 (a)(1)) The presence of neutrated waters (including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3 (a)(5)) The presence of a tributary to an interstate water or other water of the U.S. (33 CFR 328.3 (a)(7)) The presence of a nisolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughts, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.	action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site.
The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the obb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate water of the US. (33 CFR 328.3 (a)(2)) The presence of withoutary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of waterlands adjacent* (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those waterlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandfats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Geological Survey Hydrologic Atlas: USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 15 Minute Topographic Maps: MCHENRY, 1992. U. S. Geological Survey 17.5 Minute Historic Quadrangles: U. S. Geological Survey 17.5 Minute Historic Quadrangles: Advanced Identification Wetland Maps: MCHENRY COUNTY Site Visit Conducted on: February 4, 2005 Other information: Rationale for Basis (applies to any boxe checked above): The wetland along the ComEd Easement, as depicted in the Wetland Assessment Report, dated January 24, 2005, as prepared by Phoenix Environmental, Inc., does not have a hydrologic connection to a navigable waterway and is not regulated under the Clean Water Act. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: destruction of terrestrial vegetation the presence of litter and debris changes in the character of soil destruction of terrestrial vegetation the presence of litter and debris changes in the character of soil destruction of terrestrial	Basis of Jurisdictional Determination:
U. S. Fish and Wildlife Service National Wetland Inventory: MCHENRY.	 □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other:
U. S. Geological Survey Hydrologic Atlas: USDA National Resources Conservation Service Soil Survey for McHenry County. U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): 2002 Advanced Identification Wetland Maps: MCHENRY COUNTY Site Visit Conducted on: February 4, 2005 Other information: Rationale for Basis (applies to any boxes checked above): The wetland along the ComEd Easement, as depicted in the Wetland Assessment Report, dated January 24, 2005, as prepared by Phoenix Environmental, Inc., does not have a hydrologic connection to a navigable waterway and is not regulated under the Clean Water Act. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated prepared by This office does not confirm your wetland boundary Recommended by: Date: Dat	
Wetland Assessment Report, dated January 24, 2005, as prepared by Phoenix Environmental, Inc., does not have a hydrologic connection to a navigable waterway and is not regulated under the Clean Water Act. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: Wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated prepared by This office does not confirm your wetland boundary Recommended by: Date: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	 ☑ U. S. Geological Survey Hydrologic Atlas: ☑ USDA National Resources Conservation Service Soil Survey for McHenry County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: MCHENRY, 1992. ☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ☑ U. S. Geological Survey 15 Minute Historic Quadrangles: ☑ Aerial Photographs (Name & Date): 2002 ☒ Advanced Identification Wetland Maps: MCHENRY COUNTY ☒ Site Visit Conducted on: February 4, 2005
Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: Wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated prepared by This office does not confirm your wetland boundary Recommended by: Date: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	Wetland Assessment Report, dated January 24, 2005, as prepared by Phoenix Environmental, Inc., does not have a hydrologic
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)	Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris shelving changes in the character of soil destruction of terrestrial vegetation shelving other:
Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary Recommended by: Date: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual) (i.e.,	Basis for Declining Jurisdiction:
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary Recommended by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Approved by:	☐ This office concurs with your wetland delineation report dated , prepared by .
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	Recommended by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,	Approved by:
	Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500345									
REGULATORY PROJECT M	IANAGE	R: Ka	ate Bliss	3	Da	ate: 4/5/05			
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		the office project sit	e (Y/N) te Y (Y/N)			
PROJECT LOCATION INFO	RMATI(ON:							
State:						Illinois			
County:						McHe			
Center coordinates of							8.3189, 88-20-	59.7758	
Approximate size of s			iding up	plands & in	acres):	10			
Name of waterway or SITE CONDITIONS:	watersh	ed:				Fox			
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River								·	
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		\square						· _ · · · · · · · · · · · · · · · · · ·	
Slough									
Prairie pothole					<u> </u>				
Wet meadow									<u> </u>
Playa lake		<u> </u>							↓ 🖳
Vernal pool		<u> </u>	↓ <u>□</u>				<u> </u>		│
Natural pond	<u> </u>		1 <u> </u>	$\perp \! \! \! \! \! \! \! \! \perp$	$\perp \sqsubseteq$				<u> </u>
Other water (identify type)	🗀		$ \sqcup $	$ \sqcup$	📙	📙			📙
low-lands to the state of the s	4		lated no		interes estado		and best setimes	o for size of	
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type oi iso	iated, no	on-navigable,	intra-state	water present	and dest estimat	e for size of	non-
Jui isuictional aquatic resource are	.4.								
Migratory Bird Rule Factors1:				If Known		If Unknown			
Use Best Professional Judgment									
				Yes	No	Predicted to Occur	Not Expected Occur		Able To Make termination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by							termination
Is or would be used as habitat by	ther migr	atory bird	s that						
cross state lines?									
Is or would be used as habitat for endangered species? Is used to irrigate crops sold in interstate commerce?							<u> </u>	<u> </u>	
Is used to irrigate crops sold in int Check appropriate boxes that bes	erstate co	mmerce?	for appli	anhility of th	 • Migrator	N Rind Puls to	nnly to oneite r	on inriedic	tional isolated
non-navigable, intra-state aquatic			or appii	cability of th	e Milgrator	y biru Kuic to a	ippiy to ousite, i	ion-jurisuic	ilouai, isolateu,
TYPE OF DETERMINATION: Preliminary □ Or Approved □									
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 -									
rationale used to determine N.	JD, inclu	ding infor	mation	reviewed to	assess po	otential naviga			
connections; and paragraph 4	- site inf	ormation	on wat	ers of the U	.S. occurr	ing onsite):			

APPLICANT: SOS Children's Village PROJECT LOCATION/WATERWAY: Northwest of Intersection of Bruce Road and Oak Avenue in Lockport, Will County, Illinois FILE NUMBER: 200400430 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date):Lockport, 1986 Advanced Identification Wetland Maps: Site Visit Conducted on: March 24, 2005 Other information:
Rationale for Basis (applies to any boxes checked above): Wetlands 1-6 are isolated and therefore not jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation shelving shelving changes in the character of soil other: wetland boundary
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries
☐ This office concurs with your wetland delineation report dated , prepared by ☐ This office does not confirm your wetland boundary
Recommended by:
Recommended by:
¹ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPLICANT: Ernie Banks Oak Avenue in Lockport, Will County, Illinois FILE NUMBER: 200400430 PROJECT LOCATION/WATERWAY: Northwest of Intersection of Bruce Road at PROJECT REVIEW COMPLETED: ☑ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable wate of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): Wetlands 1-6 are isolated and therefore not jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(2). Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria. Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria.
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary .
Recommended by:
Recommended by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e. occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may van

from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPLICANT: Deer Point Homes PROJECT LOCATION/WATERWAY: Church St. and Rte. 20, McHenry Co.
FILE NUMBER: 200500369 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: MARENGO SOUTH. ☑ U. S. Geological Survey Hydrologic Atlas: MARENGO SOUTH, HA 463. ☑ USDA National Resources Conservation Service Soil Survey for McHenry County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: MARENGO SOUTH, 1968. ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: ☐ Aerial Photographs (Name & Date): 2002 ☐ Advanced Identification Wetland Maps: MCHENRY COUNTY ☑ Site Visit Conducted on: February 28, 2005 ☑ Other information: FEMA Firm Map
Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated September 14, 2004, as prepared by Hey and Associates, Inc., Wetland Areas 1, 2, 3, 4, 5, 6 and the farmed wetland in the northeastern portion of the property do not exhibit a surface water connection to a navigable waterbody. These areas are not jurisdictional under Section 404 of the Clean Water Act.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Treadquarters declined to approve jurisdiction on the basis of 326.3(a)(3) [attach copy of rig fationate]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated , prepared by ☐ This office does not confirm your wetland boundary
Recommended by: Date:
<u> </u>
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers, Chicago District

APPLICANT: ARC Design Resources, Inc. PROJECT LOCATION/WATERWAY: Route 64 and Bloomingdale Road, Glendale Heights, DuPage County FILE NUMBER: 200401154 PROJECT REVIEW COMPLETED:
☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: LOMBARD.
 ☑ U. S. Geological Survey Hydrologic Atlast LOMBARD, UA 142 USDA Natural Resources Conservation Service Soil Survey for DuPage County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: LOMBARD, 1993. U. S. Geological Survey 7.5 Minute Topographic Waps. Edit
U. S. Geological Survey 1.5 Minute Historic Quadrangles:
U. S. Geological Survey 15 Minute Historic Quadrangles:
Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: DUPAGE COUNTY... Site Visit Conducted on: March 15, 2005 Other information: Rationale for Basis (applies to any boxes checked above): Wetland area within the project site flows into storm sewer. No hydrological connection observed, therefore the wetland is isolated. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Date: 4--12-05 Recommended by: Approved by: Date: ¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987). ² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200401154 REGULATORY PROJECT MANAGER: Diedra Willis Date: April 12, 2005 Date: April 12, 2005 PROJECT REVIEW/DETERMINATION COMPLETED: In the office Date: March 15, 2005 At the project site PROJECT LOCATION INFORMATION: State: Illinois County: DuPage Center coordinates of site by latitude & longitudinal coordinates: 41-54-11.6345 & 88-4-51.8858 Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: West Branch DuPage River SITE CONDITIONS: 1-3 ac Type of aquatic resource 3-5 ac 10-25 ac 25-50 ac > 50 ac 0-1 ac 5-10 ac Linear Unknown feet Lake River \Box Stream Dry Wash Mudflat П П П Sandflat Г П П Wetlands \boxtimes $\overline{}$ Slough Prairie pothole Wet meadow Playa lake Vernal pool Natural pond Other water (identify type) 1 Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of nonjurisdictional aquatic resource area. Migratory Bird Rule Factors1: If Known Ïf Unknown Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by **Migratory Bird Treaties?** Is or would be used as habitat by other migratory birds that \boxtimes cross state lines? Is or would be used as habitat for endangered species? X Is used to irrigate crops sold in interstate commerce? 1 Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area. TYPE OF DETERMINATION: Preliminary Or Approved OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 - site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Jennifer Nichols PROJECT LOCATION/WATERWAY: Southwest of the Intersection of Fox Street and Copperfield Avenue in Joliet, Will County, Illinois PROJECT REVIEW COMPLETED: ☐ Office ☐ Field **FILE NUMBER: 200500330** Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: JOLIET. ☑ U. S. Geological Survey Hydrologic Atlas: JOLIET, 89. ☑ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: JOLIET, 1993. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date):Joliet, 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: Rationale for Basis (applies to any boxes checked above): There are no jurisdictional areas located on the subject property. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Date: 12 apr 05 Recommended by: Date: 124 67 66 Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Carlson Construction PROJECT LOCATION/WATERWAY: West Of Lakeside Road And North Of

Westmoreland Drive In Vernon Hills, Lake County, Illinois (Section 7, T43N, R11E) FILE NUMBER: 200500343 PROJECT REVIEW COMPLETED:

☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: ☐ USDA Natural Resources Conservation Service Soil Survey for Lake County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: WHEELING, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): 2000 Advanced Identification Wetland Maps: Site Visit Conducted on: March 29, 2005
Other information: Rationale for Basis (applies to any boxes checked above): During a March 29, 2005 field visit our office identified one wetland on the project site. This small, low quality wetland was contiguous with a pond that had no identifiable outlet. Therefore this wetland is considered isolated and not subject to federal regulation. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Recommended by: Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary

from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands senarated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT MANAGER: Paul Leffler Date: April 11, 2005 PROJECT REVIEW/DETERMINATION COMPLETED: In the office y (Y/N) Date: 11 Apr 2005 At the project sitey (Y/N) Date: 29 Mar 2005 PROJECT LOCATION INFORMATION: State: County: Lake Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): 0.5 Name of waterway or watershed: Des Plaines SITE CONDITIONS: Type of aquatic resource O-1 ac 1-3 ac 3-5 ac 5-10 ac 10-25 ac 25-50 ac 50 ac Linear (reet lake) River County: County Co	DISTRICT OFFICE: Chicago FILE NUMBER: 200500343)								
At the project sitey (Y/N) Date: 29 Mar 2005 PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): O.5 Name of waterway or watershed: SITE CONDITIONS: Type of aquatic resource	REGULATORY PROJECT N	MANAGE	R: Pa	ul Leffl	er	Da	te: April 11,	2005		
PROJECT LOCATION INFORMATION: State: County: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS: Type of aquatic resource	PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE						
Lake	State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	of site by la	atitude & erty (inclu		dinal coor	dinates:	1llinoi Lake 42 -13 0.5	s -12.7617 87		
Lake River	Type of aquatic resource1	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 a	с 25-50 яс	> 50 ac		Unknown
Stream	Lake							\neg	1000	
Dry Wash	River									1 🗂
Mudflat Sandflat Wettands Slough Prairie pothole Wet meadow Playa lake Vernal pool Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors¹: If Known Use Best Professional Judgment Yes No Predicted Not Expected to Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?	Stream								1	
Sandflat	Dry Wash									
Wettands Slough Prairie pothole Wet meadow Playa lake Vernal pool Natural pond Other water (identify type) 'Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors': If Known If Unknown Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?	Mudflat									
Slough	Sandflat									
Prairie pothole Wet meadow Playa lake Vernal pool Natural pond Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors¹: If Known Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?	Wetlands									
Wet meadow	Slough									
Playa lake Vernal pool Natural pond Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors¹: If Known Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that cross state lines?	Prairie pothole									
Natural pool										
Natural pond										
Other water (identify type) Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors¹: If Known Use Best Professional Judgment Yes No Predicted to Occur Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that cross state lines?										
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area. Migratory Bird Rule Factors¹: If Known If Unknown Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Occur Determination Is or would be used as habitat for birds protected by								<u> </u>		
Migratory Bird Rule Factors¹: If Known Use Best Professional Judgment Yes No Predicted Not Expected to Determination Not Able To Make To Occur Determination Not Wignatory Bird Treaties? Is or would be used as habitat by other migratory birds that	Other water (identify type)									
Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?			type of iso	lated, no	n-navigable	, intra-state	water present	and best estima	te for size of	non-
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Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?	Use Best Professional Judgment									
Is or would be used as habitat for birds protected by Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that Cross state lines?					Yes	No				
cross state lines?	Migratory Bird Treaties?									
Is or would be used as habitat for endangered species?	ls or would be used as habitat by other migratory birds that									
					-=-					
Is used to irrigate crops sold in interstate commerce?										

TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

Preliminary ☐ Or Approved ☒

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200500369				
REGULATORY PROJECT MANAGER:	Kate Bliss	Date:	4/1/05	
PROJECT REVIEW/DETERMINATION C	OMPLETED:	In the office At the project siteY	(Y/N) (Y/N) D:	Date: ate: 2/28/05
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			McHen	ry
Center coordinates of site by latitud	le & longitudin	al coordinates:	42-10-5	1.6378, 88-31-1.1306
Approximate size of site/property (including uplan	ds & in acres):	129	
Name of waterway or watershed:			Kishwa	ukee
SITE CONDITIONS:				

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Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?				×		
Is used to irrigate crops sold in interstate commerce?					\boxtimes	
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of	the Migrator	ry Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):